

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

GINO ROMANO, Plaintiff,	§ § § § § § §	3:12-CV-1923-K
v.		
KIM KARDASHIAN, ET AL., Defendants.		

**FINDINGS CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to the provisions of 28 U.S.C. § 636(b) and an order of the District Court, this case has been referred to the United States Magistrate Judge. The findings, conclusions and recommendation of the Magistrate Judge follow:

Discussion:

Plaintiff is *pro se* and has filed a motion to proceed *in forma pauperis*. Defendants are Kim Kardashian, Mark Cuban, Khloe Kardashian, Lamar Odom and Kris Jenner.

Although Plaintiff filed this complaint under the name “Gino Romano,” that name is an alias used by former prisoner Jonathan Lee Riches. *See Jonathan Lee Riches a/k/a Gino Romano v. Defcon, 2600.com d/b/a Nevada Chutlines*, No. 2:06-CV-293-BES-PAL (D. Nev. March 8, 2006) (complaint filed by Riches, who claims he is an “underground hacker superhero” for allegedly exploiting his “hacker identity” at defendant’s annual hacker convention); *Riches v. Cochran*, No. 09-132-JJF, 2009 WL 928426 at *1 (D. Del.) (concluding that Riches committed fraud on the court by naming “Gino Romano” as an additional plaintiff and ordering him to show cause why filing restrictions should not be imposed); *Kramer v. City of Oswego*, No. 3:12-CV-

927 HA (D. Ore. June 4, 2012) (Riches' motion to intervene brought in his own name and listing the same address he currently uses as the address of "Gino Romano.").

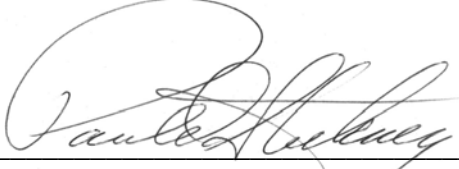
A review of the federal database shows that Riches has filed over 3,700 federal cases under his own name, and fifty-five cases in the name of Gino Romano. He has also used the alias "Irving Pickard d/b/a/ Jonathan Lee Riches a/k/a Baker & Hostetler, LLP." *Picard v. Merkin*, No. 09-CV-488 BB/RHS (D. N.M. July 2, 2009) (dismissing case).

The instant complaint is frivolous under 28 U.S.C. § 1915(e)(2)(B)(i) because it is the product of delusion or fantasy, is malicious and is filed under a fictitious name.

Recommendation:

The Court recommends that the motion to proceed *in forma pauperis* be denied and the complaint be dismissed with prejudice. Plaintiff should also be sanctioned for his abuse of the judicial process. The Court recommends that Plaintiff be required to pay a \$100.00 monetary sanction before filing any new civil action in this Court and provide proof of payment of such sanction when he files the new action. For purposes of this sanction, "filing" includes civil actions received by this Court via transfer or removal.

Signed this 9th day of July, 2012.



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND
NOTICE OF RIGHT TO APPEAL/OBJECT**

A copy of this report and recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of this report and recommendation must file specific written objections within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). In order to be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's report and recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996).